

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:10CR146
	)	
vs.	)	ORDER
	)	
RICHARD COSTANZO,	)	
THERESA COSTANZO,	)	
JANNA WASKO, and	)	
MICHAEL WASKO,	)	
	)	
Defendants.	)	

This matter is before the court on the motion to compel production by defendant Janet Wasko (Wasko) (Filing No. 68). Wasko requests an order requiring the government to disclose various categories of evidence. In its response to a similar motion by co-defendant Theresa Costanzo, the government conceded it must disclose material under [Giglio v. United States, 405 U.S. 150 \(1972\)](#), and [Brady v. Maryland, 373 U.S. 83 \(1963\)](#), but disputed the timing of such disclosure requested by the defendants (Filing No. 49).

The court finds it sufficient that disclosure of any inducements given to cooperating witnesses shall be disclosed by the government to the defendant in this case at least fourteen calendar days before the start of trial. Likewise, the disclosure of any **Brady** material shall be disclosed at least fourteen (14) calendar days before the commencement of the trial or upon discovery of such material if such discovery shall occur later than fourteen (14) calendar days prior to trial.

**IT IS ORDERED:**

Janet Wasko's motion to compel production (Filing No. 68) is granted to the extent the government shall disclose information regarding inducements provided to cooperating witnesses at least fourteen (14) calendar days prior to the commencement of trial and shall make any **Brady** material available to the defendant at least fourteen (14) calendar

days before the commencement of trial or upon discovery of such material if such discovery shall occur later than fourteen (14) calendar days prior to trial.

**ADMONITION**

Pursuant to NECrimR 59.2 any appeal of this Order shall be filed with the Clerk of the Court within fourteen (14) days after being served with a copy of this Order. Failure to timely appeal may constitute a waiver of any objection to the Order. The brief in support of any appeal shall be filed at the time of filing such appeal. Failure to file a brief in support of any appeal may be deemed an abandonment of the appeal.

DATED this 8th day of July, 2010.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge